

AO 91 (Rev. 11/11) Criminal Complaint

United States District Court
Southern District of Texas
FILED

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

MAR 18 2024

Nathan Ochsner, Clerk

United States of America

v.

Marcelo Villarreal Villarreal
(1987 / MX)

Case No. 7:24-mj-00429-1

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of April 29, 2020 in the county of Hidalgo in the
Southern District of Texas, the defendant(s) violated:

Code Section

18 USC § 554 and 2

Offense Description

Defendant did knowingly and wilfully conspire, aid, and abet in an attempt to export or send from the United States, any article, or object, to wit: wildlife contrary to any law or regulation in the United States, in that the defendant was not in possession of a lawful export license or permits for such export, in violation of Title 50 CFR Parts 14 and 23, in violation of Title 16, United States Code, Section 3372, all in violation of Title 18, United States Code, Section 554.

This criminal complaint is based on these facts:

See Attachment "A"

☒ Continued on the attached sheet.

Approved by AUSA D. Walker

/s/ Andrea N. Barreda

Complainant's signature

Andrea N. Barreda / HSI Special Agent

Printed name and title

Submitted by reliable electronic means, sworn to and
attested to telephonically per Fed. R. Cr. 4.1, and
probable cause found on:Date: March 18, 2024 at 8:44 p.m.City and state: McAllen, Texas

Judge's signature

J. Scott Hacker, U.S. Magistrate Judge

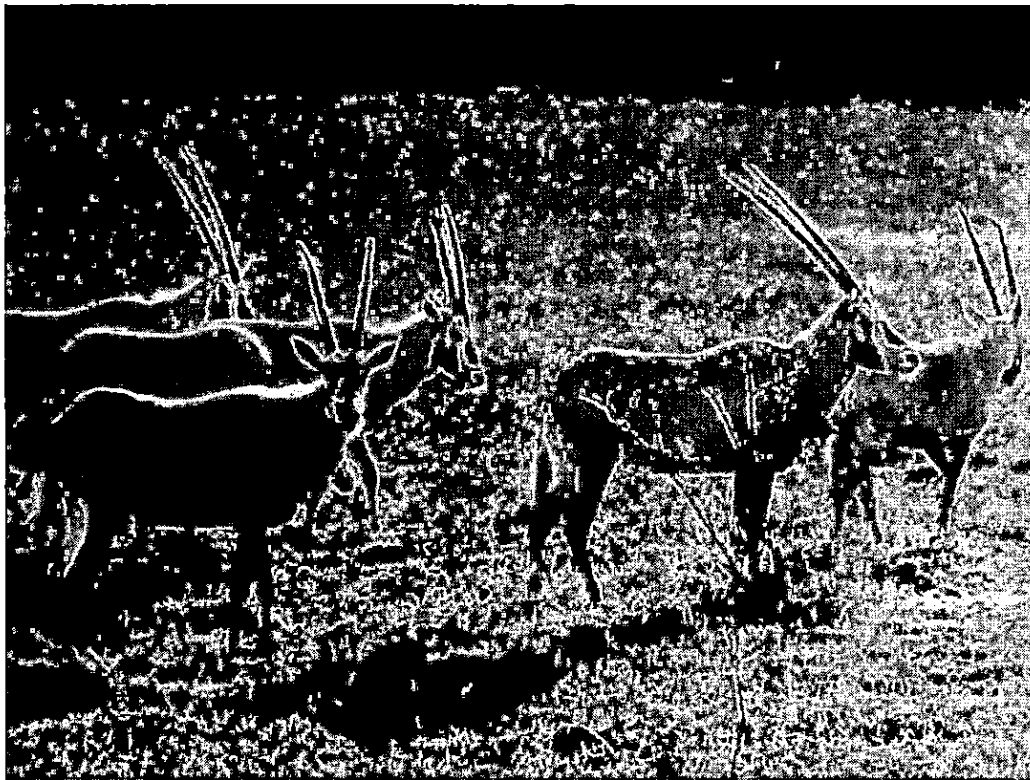
Printed name and title

USMS, McAllen TX
24 03 19 AM 0305
Only

Attachment "A"

I, Andrea Barreda, am a Homeland Security Investigations Special Agent and have knowledge of the following facts based on my investigation and facts provided to me by other law enforcement officials:

1. On April 29, 2020, U.S. Customs and Border Protection (CBP) at the Anzalduas Port of Entry (POE) in Mission, Texas, encountered a driver, later identified as Luis Javier Salazar-Velarde (Salazar) driving a pickup truck, stock trailer, and animals. Salazar stated the animals were goats when asked what the trailer contained. It was later determined the six (6) animals were female Arabian oryx (*Oryx leucoryx*). A photograph of the oryx is seen below:



2. On April 30, 2020, during an interview with Salazar, Salazar stated the animals and trailer belonged to Marcelo VILLARREAL-VILLARREAL (VILLARREAL), a Mexican National.
3. On April 30, 2020, VILLARREAL contacted law enforcement and stated the oryx were purchased at an auction in Leakey, Texas. VILLARREAL stated the animals were supposed to go to a ranch in Bandera, Texas. VILLAREAL provided law enforcement with falsified invoices for the Arabian oryx which stated the Oryx were purchased for \$1,232.00 each and \$7,392.00 total.
4. On June 4, 2020, USFWS and HSI Agents interviewed Oscar Guillermo Juraidini Silva (Juraidini). Juraidini stated VILLARREAL came up with a business plan to breed Arabian

oryx and sell the offspring for hunting purposes and to zoological parks in Mexico. Juraidini would ultimately purchase the animals, but he stated VILLARREAL would broker the deal, arrange for the transportation and exportation of the animals, and house the animals at his family ranch in Nuevo Leon named Palos Altos/Rancho Aldama.

5. Juraidini stated he spent approximately \$5,250.00 per animal or \$31,500 for six (6), contrary to the falsified invoice VILLARREAL provided the USFWS for \$7,542 for six (6).
6. On July 31, 2020, USFWS interviewed the owner of the ranch in Leakey, TX, where the oryx were purchased from. The owner of the ranch provided an invoice from a Mexican bank account wire transfer in the amount of \$26,300 for five (5) female Arabian oryx, paid in full and shipped on April 29, 2020.
7. The owner of the ranch stated VILLARREAL requested the animals be delivered somewhere between Laredo and McAllen and cross loaded on the side of the road. This delivery occurred on the same day the animals were seized at the Anzalduas POE (April 29, 2020).
8. The Arabian oryx is classified as an Appendix I, Endangered Species. It is regulated and protected by the Endangered Species Act and Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) and requires an Import/Export license, Endangered Species export permit, and USFWS Declaration Form 3-177. No such permit has ever been granted to export Arabian oryx out of the United States to Mexico for commercial purposes.
9. The Endangered Species Act (ESA) is found at Title 16, United States Code, Sections 1531-1544. The ESA prohibits the importation, exportation, or taking of fish, wildlife, and plants that are listed as threatened or endangered species; provides for adding species to and removing species from the list of threatened and endangered species; and for preparing and implementing plans for their recovery. Arabian oryx are listed as endangered species.
10. The Lacey Act is found at Title 16, United States Code, Section 3372. The Lacey Act prohibits the importation, exportation, sale, receipt, acquisition, and purchase of wildlife taken, possessed, transported, or sold in violation of any law, treaty, or regulation of the United States.
11. 50 C.F.R. Parts 14 and 23 delineate the regulations for the transport and exportation of animals from the United States, marking requirements, export permits and licenses, and designates ports of entry at which individuals can export wildlife. VILLARREAL and Salazar-Velarde did not possess an export permit or license for the exportation of wildlife in violation of 50 C.F.R. Parts 14 and 23.
12. VILLARREAL failed to follow the provisions of 50 C.F.R. Parts 14 and 23 and the transport and exportation of wildlife from the United States in violation of federal law and violated the prohibited acts of 16 U.S.C. § 3372 (Lacey Act) all in violation of 18 U.S.C. § 554.